

A claim of governmental liability requires a showing that the misconduct complained of came about pursuant to a policy, statement, regulation, decision or custom promulgated by Rutherford County or its agent, the Rutherford County Sheriff's Department. Monell v. New York City Department of Social Services, 436 U.S. 658, 690-691 (1978). In short, for Rutherford County to be liable under § 1983, there must be a direct causal link between an

official policy or custom and the alleged constitutional violation.
City of Canton v. Harris, 489 U.S. 378, 385 (1989).

The plaintiff has offered nothing to suggest that his rights were violated pursuant to a policy or regulation of Rutherford County that would allow for the sexual assault of its prisoners. Consequently, the plaintiff has failed to state a claim against the defendant.

In the absence of an actionable claim, the Court is obliged to dismiss the complaint *sua sponte*. 28 U.S.C. § 1915(e)(2).

An appropriate order will be entered.


Todd Campbell
United States District Judge